S.B.CRIMINAL MISC. BAIL APPLICATION NO.3215/2006

Date : 28.08.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mrs. Kaushr Praveen for the applicants.
Mr. V.R. Mehta, Public Prosecutor for State.

Heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicants submits that applicants are ladies and the deceased who was a drunkard entered in to the house of Baju Devi as has been stated by two witnesses. She has also placed on record statements of six witnesses recorded in the Court. It has also been submitted that in these statements recorded in the Court it would appear that the applicants have not beaten the deceased.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me.

Without expressing any opinion on the merit of the case while taking into consideration overall facts and circumstances of the present case and also considering the role suggested in the FIR to the accused applicants, I deem it just and proper to grant bail to the applicants.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicants (1) Smt. Baju Devi wife of Late Puranaram Ji and (2) Smt. Santu alias Santuri wife of Khiyaram shall be released on bail in FIR No.03/2006 P.S. Khunkhuna, District Nagour, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

vijayant